HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (L) No. 3887 of 2006

Petitioner		Rajendra Kumar Gandharva, S/o Shri Radhelal, R/o Pendri Talab, P.O. Lormi, Tah. Lormi, Distt. Bilaspur (C.G.)
	Versus-	
Respondents	1.	State of Chhattisgarh, Through:- Collector, Bilaspur (C.G.)
	2.	Tahsildar, Lormi, Distt. Bilaspur (C.G.)
	3.	Raju (Rajkumar) Kesharwani, S/o Shri Nanak Kesharwani, R/o Sardha, P.O. & Tah. Lormi, Distt. Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Mr. Justice **Satish K. Agnihotri**

Shri S. P. Kale, Advocate for the petitioner.

Shri G. K. Beriwal, Deputy Advocate General with Smt. Anju Ahuja, Deputy Govt. Advocate for the respondents No. 1 and 2.

Shri B. P. Gupta, Tahsildar, Lormi is present in person.

ORDER

(Passed on this 5th day of July, 2007)

1. Admittedly, the petitioner is entitled to payment of compensation to the tune of Rs. 79,421/- as per the order dated 29.12.1998 (Annexure P/1) passed in Case No. 7/W.C.A./96 (NF), passed by the Commissioner, under the Workmen Compensation Act-cum-Labour Court, Bilaspur.

2. Despite the order for payment of compensation, the respondent No.3 could not pay the amount, therefore the steps were taken for recovery of the amount by the respondent No.2/Tahsildar, Lormi.

3. Shri B. P. Gupta, Tahsildar, Lormi is present in person and states that all steps were taken to sell the attached property of the

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respondent No.3 by public auction on 19.9.2006 but no person came forward and the auction could not be complete.

4. Learned counsel appearing for the petitioner submits that the proper procedure for putting the property in dispute for auction sale was not followed, as wide publicity was not given.

5. Shri B. P. Gupta, Tahsildar, Lormi, present in the Court, undertakes to publish the auction notice in two widely circulated newspapers in district Bilaspur for putting the property on auction, as fixed on 12.7.2007. The proceeds thereof shall be made to the petitioner to satisfy the compensation, penalty and interest on the compensation amount up-to-date.

6. In view of the clear undertaking given by the Tahsildar, Lormi, noting survives in this matter.

7. Consequently, the petition is disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur